



DEPARTMENT OF LAW
OFFICE OF THE
Attorney General
STATE CAPITOL
Phoenix, Arizona 85007

BRUCE E. BABBITT
ATTORNEY GENERAL

Wright

September 16, 1977

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ARIZONA ATTORNEY GENERAL

Mr. Stephen G. Udall
Apache County Attorney
Post Office Box 637
St. Johns, Arizona 85936

Re: 77-182 (R77-232)

Dear Mr. Udall:

We have reviewed your July 5, 1977 opinion to Mr. Dale Newton at the Puerco Elementary School in Sanders, Arizona, concluding that it is permissible for a school district to allow teachers to park their private trailers on school property, if necessary for the operation of the school.¹ We informally concur in the result reached in your opinion.¹ This informal concurrence has no precedential value.

Thank you for forwarding your opinion to the Attorney General as required by A.R.S. § 15-122.B. If you have any questions, please call me.

Sincerely,

BRUCE E. BABBITT
Attorney General

DAVID RICH
Assistant Attorney General

DR:jrs

¹A.R.S. § 15-443 dealing with teachers' salaries and fringe benefits also supports your conclusion.

STEPHEN G. UDALL
COUNTY ATTORNEY

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ATTORNEY GENERAL
PHOENIX, ARIZONA

July 5, 1977

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Opinion Request
77-232

Mr. Dale Newton
Pureco Elementary School
Sanders, AZ 86512

RE: Is there any State requirement which makes it
illegal for a school to allow teachers to park
private trailers on school property?

Dear Mr. Newton:

The above question is answered by A.R.S. §15-442 (B) (7) which provides that schools in rural areas may provide housing for teachers if it is necessary for the operation of the school. So, A.R.S. §15-442, provides that the school may rent school property to private parties. If the school can show that the housing for teachers is necessary for the operation of the school it is specifically provided for in the above named provisions of the code. See also Attorney General's opinion 74-15-C.

The provision of land by the school for parking private trailers would certainly fall into the definition of housing, therefore, there is no State policy prohibiting the parking of private trailers on school property as long as it is necessary for the operation of the school. The school district will be held liable in the same way as a landlord would be for any harm that may come to pass on school property, and therefore, steps should be taken to protect the school.

A copy of this opinion is being sent to the Attorney General for his concurrence.

Sincerely,

[Signature]
STEPHEN G. UDALL
APACHE COUNTY ATTORNEY

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